

TAM:JHK  
Brooks-bail.for

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
- - - - - X

UNITED STATES OF AMERICA

NOTICE OF MOTION

- against -

Criminal Action  
06 CR 550 (S-2) (JS)

DAVID H. BROOKS,

Defendant,

- and -

VICTORIA BROOKS,  
ANDREW BROOKS,  
JEFFREY BROOKS, and  
TERRY BROOKS,

Sureties.

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PLEASE TAKE NOTICE that upon the annexed application of BENTON J. CAMPBELL, United States Attorney for the Eastern District of New York, by Assistant United States Attorney James H. Knapp, of counsel, before the Honorable Joanna Seybert, United States District Judge for the Eastern District of New York, at a time on a date to be scheduled by the Court, at the Long Island Federal Courthouse, 100 Federal Plaza, Room 1030, Central Islip, New York 11722, the United States will move for: (1) an order, pursuant to Rule 46(f)(1) of the Federal Rules of Criminal Procedure, forfeiting the bail posted herein; (2) an order, pursuant to Rule 46(f)(3) of the Federal Rules of Criminal Procedure, entering judgment by default on the bail bond of DAVID H. BROOKS ("BROOKS"), against BROOKS as defendant, and VICTORIA

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BROOKS, ANDREW BROOKS, JEFFREY BROOKS, and TERRY BROOKS,  
(collectively "THE SURETIES"), as sureties in the amount of Four  
Hundred Million Dollars and zero cents (\$400,000,000.00); (3) an  
order forfeiting to the United States all right, title and  
interest in the funds on deposit in the monitored accounts of  
BROOKS and THE SURETIES posted as security for BROOKS' bail bond;  
and (4) an order directing the financial institutions on which  
the bail forfeiture order is served to forthwith remit the funds  
on deposit in the monitored accounts of BROOKS and THE SURETIES  
payable to: Clerk of the Court, Eastern District of New York.

Dated: Central Islip, New York  
January 20, 2010

BENTON J. CAMPBELL  
United States Attorney  
Eastern District of New York  
610 Federal Plaza  
Central Islip, New York 11722

By: s/ James H. Knapp  
JAMES H. KNAPP  
Assistant U.S. Attorney  
(631) 715-7879

To: David H. Brooks  
Victoria Brooks  
Andrew Brooks  
Jeffrey Brooks  
Terry Brooks  
  
Clerk of the Court

CERTIFICATE OF MAILING

IT IS HEREBY CERTIFIED that service of the foregoing:  
Notice of Motion; Notice to the Clerk of the Court; Declaration  
of AUSA James H. Knapp, dated January 20, 2010, with exhibits "A"  
through "D", and Order of Forfeiture Directing Entry of Judgment,  
has this 20<sup>th</sup> day of January, 2010, been made by delivering, by  
Federal Express courier, a copy thereof, in a prepaid envelope,  
to the following addresses:

DAVID H. BROOKS  
200 East 64<sup>th</sup> Street, 19<sup>th</sup> Floor  
New York, New York 10065

and

c/o James M. LaRossa, Esq.  
Attorney for DAVID H. BROOKS  
200 East 64<sup>th</sup> Street, Apt. 14D  
New York, New York 10016

VICTORIA BROOKS  
20 Red Ground Road  
Old Westbury, New York 11568

800 South Ocean Boulevard., Apt. 406  
Boca Raton, Florida 33432

ANDREW BROOKS  
20 Red Ground Road  
Old Westbury, New York 11568

JEFFREY BROOKS  
200 East 64<sup>th</sup> Street, 19<sup>th</sup> Floor  
New York, New York 10065

151 East 58<sup>th</sup> Street, PH53W  
New York, New York 10022

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TERRY BROOKS  
20 Red Ground Road  
Old Westbury, New York 11568

and

c/o Lisa Bebachick, Esq.  
Fried, Frank, Harris, Shriver & Jacobson  
Attorneys for TERRY BROOKS  
One New York Plaza  
New York, New York 10004

By: s/ Brian Gappa  
Brian Gappa